

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

CR 19-125-BLG-DLC

Plaintiff,

ORDER

vs.

ALJAY MICHAEL BIGHAIR,

Defendant.

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation in this matter on December 19, 2019. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommended this Court accept Aljay Michael Bighair’s guilty

plea after Bighair appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to possession of firearm not registered in National Firearms Registration and Transfer Record in violation of 26 U.S.C. §§ 5841, 5861(d), and 5871 as charged in the Indictment.

I find no clear error in Judge Cavan's Findings and Recommendation (Doc. 28), and I adopt them in full.

Accordingly, IT IS ORDERED that Aljay Michael Bighair's motion to change plea (Doc. 22) is GRANTED and Aljay Michael Bighair is adjudged guilty as charged in the Indictment.

DATED this 3rd day of January, 2020.



Dana L. Christensen, Chief District Judge
United States District Court